

Congress of the United States

Washington, DC 20515

February 27, 2006

Protect Our Nation's Food Safety *OPPOSE H.R. 4167, the National Uniformity for Food Act*

Dear Colleague:


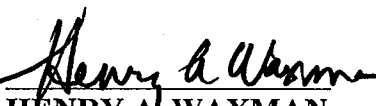

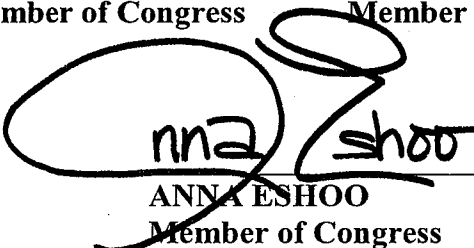

We would like to point your attention to the attached letter from important consumer groups expressing their opposition to H.R. 4167, the *National Uniformity for Food Act of 2005*. We share their deep concerns about the potential risks to public health due to this bill's preemption of existing state laws that address food safety.

In two consecutive Congresses, this legislation was marked up in the full Energy and Commerce Committee without benefit of hearings or Subcommittee consideration, and was ultimately reported out of Committee. The 13 consumer groups listed below, along with dozens of other governmental, public health, and environmental groups have expressed their strong opposition to this legislation. Yet this Committee has never given any of these groups an opportunity to explain their concerns in the context of an open hearing.

H.R. 4167 will invalidate scores of critical state food-safety laws, removing important consumer safety measures, and creating a complicated and ineffective method that will not sufficiently safeguard our food supply in the event of an emergency.

We therefore strongly urge you to oppose this legislation.

Sincerely,

		
LOIS CAPPS	HENRY A. WAXMAN	FRANK PALLONE
Member of Congress	Member of Congress	Member of Congress
		
ANNA ESHOO	MAURICE HINCHEY	
Member of Congress	Member of Congress	

February 27, 2006

Dear Representative:

We urge you to oppose H.R. 4167, the so-called National Uniformity for Food Act of 2005, when it is considered by the House of Representatives because the bill could eliminate important state and local government food safety and labeling laws.

Although similar legislation was first introduced in the 105th Congress, the Committee on Energy and Commerce has never held a hearing on the bill. If the Committee had held a hearing prior to approving H.R. 4167 in December 2005, it would have learned that:

- the United States Food and Drug Administration ("FDA") leaves it to state and local governments both to enact and to enforce their own laws in important areas of food safety, such as guaranteeing the safety of milk, minimizing the risks from eating raw shellfish, and ensuring the safety of food prepared in restaurants and other food service establishments;
- the states have required warnings about the serious risks certain foods pose to some consumers when the FDA has refused to take effective action, such as California's requiring a warning in stores alerting pregnant women (or women who may become pregnant) to the risks of eating certain fish that have high levels of mercury and Connecticut's and Michigan's requiring warnings on bulk foods in stores regarding the risks of sulfites; and
- the Congressional Budget Office estimated in 2004 that it would cost the FDA more than \$100 million (over five years) to process more than 100 petitions for waivers from the various states that the bill permits, not to mention the costs to the states of preparing such petitions.

If you or your staff have any questions about this important public health matter, please contact Benjamin Cohen at 202-332-9110 ext. 321.

Sincerely,

Center for Science in the Public Interest
Food and Water Watch
National Consumers League
United Food and Commercial Workers International Union
California Public Interest Research Group
Florida Consumer Action Network
New Jersey Public Interest Research Group
Virginia Citizens Consumer Council

Consumer Federation of America
Humane Society of the United States
Safe Tables Our Priority (STOP)
Consumer Action
Massachusetts Consumers' Coalition
North Carolina Consumers Council